

REMARKS

**Reconsideration And Allowance
Are Respectfully Requested.**

Claims 1-19 are currently pending. Claims 1, 7 and 13 have been amended. New claim 19 has been added. No claims have been canceled. Reconsideration is respectfully requested.

With regard to the rejections based upon prior art, claims 1-18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,100,806 to Gaukel (Gaukel). It is Applicant's opinion that this rejection is overcome by the preceding amendments, and in view of the remarks which follow.

Gaukel generally discloses an apparatus and method for continuous electronic monitoring of an individual. With this in mind, the individual worn component of Gaukel continuously gathers information and forwards this information to a central tracking station. The forwarded information is then studied and appropriate action is taken. The system of Gaukel is not so much designed to insure the safety of individuals as to vigilantly monitor the actions of individuals wearing the monitoring worn component of Gaukel.

In contrast to the apparatus and method disclosed by Gaukel, the present invention is designed as a device for ensuring the safety of individuals wearing the claimed transmitter unit. The present recovery system is specifically designed for ensuring the safety and well-being of children and elderly individuals. It is, therefore, not necessary that the transmitter unit continuously send information to a central tracking station. Rather, the present recovery

system requires that the transmitter unit send an alert signal only when a specific, pre-designated event occurs.

As such, and with reference to amended claim 1, Applicant has claimed a user carried recovery unit including a transmitter unit shaped and dimensioned to be carried by the user. The transmitter unit includes a transmitter case housing functional electrical components of the transmitter unit. The transmitter unit includes a transmitter for selectively transmitting a warning signal to a central processing center and a motion detector recording rapid decelerations. The motion detector is associated with the transmitter for activating the transmitter to send a warning signal to the central processing center for immediate emergency action when a rapid deceleration is recorded by the motion detector. Since the transmitter may be accidentally activated based upon rapid deceleration observed by the motion detector, the transmitter unit is provided with means for resetting the transmitter for preventing the transmission of a warning signal in the event the impending transmission of a warning signal is undesired.

The claimed user carried recovery unit of claim 1 stands in stark contrast to the apparatus disclosed by Gaukel. The motion detector disclosed by Gaukel is designed to provide "dead man" monitoring such that an officer may automatically be dispatched if a lack of motion is detected for a prolonged period of time. Gaukel states, "the purpose for a motion detector 21 is out of concern for the safety and well-being of the person being monitored. For example, the database management computer 48 and the central controlled tracking station 40 check to ensure that the motion detector 21 has detected motion periodically. If the wrist

band remains motionless for an abnormally long period of time, the monitored subject may have lost consciousness and be in need of medical attention.” When the disclosed system of Gaukel is compared with the transmitter unit claimed in independent claim 1, it becomes clear that Gaukel fails to disclose a recovery unit including a motion detector linked to a transmitter, wherein the transmitter is activated upon detection of a rapid deceleration. Gaukel sends a continuous flow of information regarding an individual’s motion. Gaukel includes no structure for assessing rapid deceleration and subsequently sending a warning signal.

With the foregoing in mind, it is Applicant’s opinion that Gaukel neither discloses nor suggests the recovery unit defined in amended claim 1. As such, Applicant respectfully requests that the rejection under 35 U.S.C. § 102(e) be withdrawn.

Included with the patents cited in the attached Information Disclosure Statement, the Examiner will find that U.S. Patent No. 5,652,570 to Lepkofker discloses an accelerometer. However, the accelerometer disclosed by Lepkofker is designed “to transmit data to a central monitoring station for analysis at a later time” in much the same manner as the motion detector disclosed by Gaukel. The accelerometer disclosed by Lepkofker is used to take a sample of continuous data and then transmit the coherent data for analysis at a later time. In fact, the accelerometer is designed to permit monitoring “in case the watch or pad means is disabled or intentionally removed, [and] the individual user’s earlier information is used to simulate the person’s present location”. The accelerometer, and transmitter disclosed by

Lepkofker are not designed to monitor rapid deceleration and send an immediate warning to the central processing station as claimed in the present application.

With regard to independent claim 7, Applicant has similarly amended this claim to specify that all electrical components of the transmitter unit are stored within the transmitter case. Independent claim 7 further defines that the transmitter unit includes a video unit for recording an image of the area surrounding the individual carrying the personal recovery unit, wherein the video unit is associated with the transmitter such that the recorded image is sent with the warning signal to the central processing center.

Applicant has thoroughly reviewed the disclosure of Gaukel and has failed to locate any discussion relating to the use of a video unit for recording an image of the area surrounding an individual carrying a recovery unit. As such, it is Applicant's opinion that Gaukel fails to disclose each limitation of independent claim 7, and Applicant respectfully requests that the rejection be withdrawn. If Gaukel does in fact disclose a video unit, Applicant respectfully requests that the Examiner provide the column and line numbers at which the disclosure may be found.

Further, and with reference to the prior art cited in the attached Information Disclosure Statement, U.S. Patent No. 4,884,132 to Morris et al. teaches a personal security system including a video unit. However, Morris et al. do not suggest incorporating the video unit within a personal recovery device including a locator signal. Since nothing in the cited prior art suggests combining a video unit with a location transmitting unit, potentially enhancing recovery efforts, it is respectfully Applicant's opinion that the modification of prior

art references based upon the teachings of Morris et al. is unsupported by the prior art and would be improper.

As to those claims dependent from independent claim 7, they are believed to overcome the disclosure of Guakel for the reasons presented above.

Finally, and with reference to independent claim 13, Applicant has amended this claim to define a user carried personal recovery unit. The recovery unit includes a transmitter unit carried by a user. The transmitter unit includes a transmitter case housing functional electrical components of the transmitter unit. The transmitter unit further includes means for defining a safe zone housed within the transmitter case and a transmitter activated to transmit a warning signal to a central processing center when the transmitter is moved beyond the safe zone.

As discussed above with reference to the motion detector, Gaukel fails to disclose a recovery unit which is activated to send a warning signal when the individual wearing the recovery unit exits a "safe zone". Rather, Gaukel discloses a system wherein the monitoring device continuously sends position information to a central tracking station. The position information is then monitored by individuals at the central tracking station to ensure that the individual wearing the monitoring component is within a designated area. The system requires continuous monitoring of the individual, which is in stark contrast to the claimed system that requires only monitoring when the individual leaves a "safe zone".

It is, therefore, Applicant's opinion that amended claim 13 overcomes the disclosure of Gaukel. As such, Applicant respectfully requests that the rejection of claim 13, and those claims dependent thereon, be withdrawn.

Attached hereto is a marked up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made".

It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested. If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicants' representative at the below number.

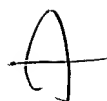
Respectfully submitted,

A handwritten signature in black ink, appearing to read "H. N. Flaxman", with a stylized flourish at the end.

Howard N. Flaxman
Registration No. 34,595

WELSH & FLAXMAN LLC
2341 Jefferson Davis Highway
Suite 112
Arlington, VA 22202
(703) 920-1122

Our Docket No. FUL-003

A handwritten mark in the bottom right corner, resembling a stylized capital letter 'A' or a checkmark.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Amend claims 1, 7 and 13 as follows:

1. (Amended) A user carried recovery unit, comprising:

a transmitter unit carried by a user, the transmitter unit including a transmitter case housing functional electrical components of the transmitter unit;

the transmitter unit includes a transmitter for selectively transmitting a warning signal to a central processing center and a[n accelerometer] motion detector recording rapid deceleration, wherein the [accelerometer] motion detector is associated with the transmitter for activating the transmitter to send a warning signal to the central processing center for immediate emergency action when a rapid deceleration is recorded by the [accelerometer] motion detector;

further including means for resetting associated with the transmitter for preventing the transmission of a warning signal in the event the impending transmission of a warning signal is undesired.

7. (Amended) A user carried personal recovery unit, comprising:

a transmitter unit carried by a user, the transmitter unit including a transmitter case housing functional electrical components of the transmitter unit;

the transmitter unit includes a transmitter for selectively transmitting a warning signal including information regarding the status and the location of the user to a central processing center and a video unit for recording an image of the area surrounding the individual carrying the personal recovery unit, wherein the video unit is associated with the transmitter such that the recorded image is sent with the warning signal to the central processing center.

13. (Amended) A user carried personal recovery unit, comprising:

a transmitter unit carried by a user, the transmitter unit including a transmitter case housing functional electrical components of the transmitter unit;

the transmitter unit further including means for defining a safe zone housed within the transmitter case[;] and a transmitter activated to [for selectively] transmit[ting] a warning signal to a central processing center when the transmitter unit is moved beyond the safe zone.

Add new claims 19 as follows:

19. The personal recovery unit according to claim 1, wherein the motion detector is an accelerometer.